REMARKS

Election/Restrictions

The Examiner correctly characterizes Applicants election without traverse.

Since Applicants believe that the pharmaceutical agent claims will be in condition for allowance, they limit the method claims to the scope of the pharmaceutical agent claims for purposes of rejoinder and add new claims for purposes of rejoinder.

Priority

Priority is correct.

Information Disclosure Statement

Applicants appreciate the Examiner returning the initialed SB08's, except for the one reference noted by the Examiner.

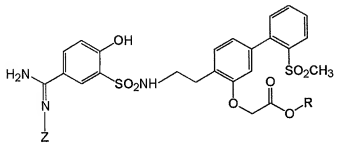
Claim Rejections - 35 U.S.C. § 103

Claims 1, 2 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. 6,541,488 B1 in view of WO 02/28827A1.

The Examiner's reading and application of the prior art is set forth in the Action and will not be repeated here except as necessary to an understanding of Applicants' traversal which is now presented.

Traversal

With the amendments to the claims, the present invention relates to a pharmaceutical agent comprising a compound selected from the group consisting of aspirin, dipyridamole, cilostazol, ticlopidine and clopidogrel in combination with a 5-amidino-2-hydroxybenzenesulfonamide derivative represented by the following general formula.



In US 6,541,488 B1, the use of a direct or indirect selective inhibitor of factor Xa which acts via antithrombin III in combination with an anti-platelet aggregation agent is disclosed (column 2, lines 16 to 33). As the indirect inhibitors of factor Xa, synthetic oligosaccharides, particularly pentasaccharides such as compounds having structures (B), (C) or (D), are illustrated (column 2, lines 48 to 50 and column 3, line 1 to column 4, line 8). As the direct inhibitors of factor Xa, only DX-9065a and its analogues are illustrated (column 2, lines 46 to 67). Thus, the factor Xa inhibitors in US 6,541,488 B1 include many compounds. The direct factor Xa inhibitors of the present invention having entirely different chemical structures from DX-9065a are not illustrated at all.

Therefore, there is no suggestion or selection leading to the compounds represented by the general formula of the present invention among the compounds of US 6,541,488 B1.

As for the anti-platelet aggregation agent of the present invention, many and various anti-platelet aggregation agents such as compounds (I) to (L) which can be used in combination with the oligosaccharides are illustrated (column 5, lines 5 to 31). Among them, as preferred anti-platelet aggregation agents, aspirin, ticlopidine, clopidogrel and antagonists of glycoprotein IIb/IIIa are illustrated (column 48, line 66 to column 49, line 14).

Furthermore, as a combination, a preferred pharmaceutical composition comprising the indirect inhibitor of factor Xa represented by structure (B) in combination with an antagonist of glycoprotein IIb/IIIa or aspirin is illustrated (column 52, line 20-67).

Therefore, there is no suggestion or selection to the anti-platelet agents which can be used in combination with the direct factor Xa inhibitors.

Furthermore, as for the combinations described in US 6,541,488 B1, as a practical matter the combinations are so broad as to be almost countless. Further, a specific effect of the combination therein is only given regarding the use of the pentasaccharide represented by structure (B) and SR121787A, a glycoprotein IIb/IIIa antagonists (column 50, line 26 to column 51, line 15).

One the other hand, the present invention is directed to a pharmaceutical agent suitable for the prevention or treatment of thromboembolism, which comprises a 5-amidino-2-hydroxybenzenesulfonamide derivative represented by the general formula as a direct selective inhibitor of factor Xa in combination with a compound selected from the group consisting of aspirin, dipyridamole, cilostazol, ticlopidine and clopidogrel.

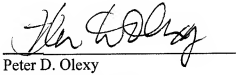
In conclusion, since US 6,541,488 B1 neither discloses nor suggests anything about the present combination, one of ordinary skill in the art would not be led to the presently claimed invention from the teachings in US 6,541,488 B1 and W002/28827 Al, and certainly one of ordinary skill in the art would not be led to suspect that the present combinations would exert superior effects on inhibiting the thrombus formation and improving the hypercoagulable state.

Applicants respectfully submit that the present claims are not obvious over the combination of references relied upon by the Examiner, request withdrawal, request allowance and request rejoinder of the method claims.

Applicants accept to Examiner's characterization of WO 2002/028827 A1; other than teaching derivatives as the Examiner urges with utilities as the Examiner urges, that references does not remedy any of the defects of US 6, 541, 488 B1.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Peter D. Olexy
Registration No. 24,513

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: February 17, 2009